

EXPRESS MAIL NO.: 31842525304
DATE DEPOSITED: JULY 3, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder) Atty. Dkt. No. 8403.910
)
Serial No.: Not Yet Assigned) Group No.: Not Yet Assigned
)
Filed: July 3, 2003) Examiner: Not Yet Assigned
)
For: DECORATIVE GROWER'S CONTAINERS)
AND METHODS FOR USING SAME)

Mail Stop - Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO-1449
3. ☒ Statements as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted.

- 5. ☒ Copies of Listed Information Items Accompanying this Statement.
- 6. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449

☒ A completed Form 1449 is attached hereto.

☐ No Form 1449 (Modified) is attached.

Section 3. Statements as to Information Not Found in Patents or Publications

Ceramic, metal and other like pots having decorative patterns thereon have been utilized for holding a plant which has been grown in a separate container and then transplanted into such pot prior to or after sale. However, such pots are not feasible for use by growers of botanical items. Applicant is not aware of any decorative container which has been utilized by a grower of botanical items for growth of a botanical item therein.

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted.

This application relies, under 35 USC § 120, on the earlier filing date of prior application U.S. Serial No. 10/036,888, filed on January 2, 2002.

Section 5. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO-1449 accompany this information disclosure statement.

☒ [X] Exceptions to the above:

☒ [X] Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	July 3, 2003
		First Named Inventor	Donald E. Weder
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Sheet 2 of 4	Attorney Docket Number	8403.910	

U.S. PATENT DOCUMENTS						
Examiner Initials [*]	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AU	D254659		Karotseris	04/08/1980	
	AV	D255409		Volkman et al.	06/17/1980	
	AW	4400910		Koudstaal et al.	08/30/1983	
	AX	4413725		Bruno et al.	11/08/1983	
	AY	4435918		Shain	03/13/1984	
	AZ	4457104		Hefner	07/03/1984	
	BA	4739581		Jarvis	04/26/1988	
	BB	D295842		Gay	05/24/1988	
	BC	4801014		Meadows	01/31/1989	
	BD	5042197		Pope	08/01/1991	
	BE	D340882		Holtkamp, Jr.	11/02/1993	
	BF	5239775		Landau	08/31/1993	
	BG	5490352		Weder et al.	02/13/1996	
	BH	5605012		Weder et al.	02/25/1997	
	BI	5706605		Alcazar et al.	01/13/1998	
	BJ	5634558		Weder	06/03/1997	
	BK	5526932		Weder	06/18/1998	
	BL	758678		Muller	05/03/1904	
	BM	6085460		Jackson	07/11/2000	
	BN	4138803		Sherlock	02/13/1979	

FOREIGN PATENT DOCUMENTS							
Examiner Initials [*]	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴				
	BJ		158098	United Kingdom	01/31/1921		
	BK		605657	Germany	10/25/1934		
	BL		785369	France	05/20/1935		
	BM		103316	Australia	06/19/1935		
	BN		735800	United Kingdom	08/31/1955		
	BO		1003489	Germany	02/28/1957		
	BP		891078	United Kingdom	03/07/1962		
	BQ		9979	Australia	02/22/1968		
	BR		2112753	France	05/29/1972		
	BS		42319	Australia	02/06/1979		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Application Number	Not Yet Assigned
		Filing Date	July 3, 2003
		First Named Inventor	Donald E. Weder
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	8403.910

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BX	Sunset Books, "Plant Containers You Can Make", PP. 40-41 & 42-43, Date 03/1976.	
	AA	Bonnie Plant Farm, pot and affidavit	
	AB	PEN pages, care and handling of potted plants, May 6, 1999, www.penpages.psu.edu/penpages-reference/29401/2940140.html	

Examiner Signature		Date Considered	
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